

06/28/01

J1025 U.S. PTO

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6-29-01

SUBSTITUTE for PTO/SB/05 Utility Patent Application Transmittal
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

J1036 U.S. PTO
09/894921

06/28/01

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	20243CA
First Inventor or Application Identifier	Batra et al.
Title	Compressed Tablet Formulation
Express Mail Label No.	EL523906658US

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231				
1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)	6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)				
2. <input checked="" type="checkbox"/> Specification [Total Pages 27]	a. <input type="checkbox"/> Computer Readable Form				
3. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets] [Total Pages 27]	b. <input type="checkbox"/> Paper Copy (identical to computer copy)				
4. Oath or Declaration	c. <input type="checkbox"/> Statements verifying identity of above copies				
a. <input type="checkbox"/> Newly executed (original or copy)	ACCOMPANYING APPLICATION PARTS				
b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 14 completed)	7. <input type="checkbox"/> Assignment papers (cover sheet & document(s))				
i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).	8. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney				
5. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	9. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations				
	10. <input checked="" type="checkbox"/> Preliminary Amendment				
	11. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)				
	12. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)				
	13. <input type="checkbox"/> Other: _____				
14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No. 09 / 312,617 Prior application information: Examiner S. Sharareh Group/Art Unit: 1619 For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.					
15. CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label Customer No. 000210 (Insert Customer No. or Attach bar code here)					
NAME	Kenneth R. Walton				
ADDRESS	Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30				
CITY	Rahway	STATE	NJ	ZIP CODE	07065-0907
COUNTRY	USA	TELEPHONE	732-594- 3462	FAX	732-594-4720

Name	Kenneth R. Walton	Registration No. (Attorney/Agent)	32,951
Signature	Kenneth R. Walton	Date	6/28/2001

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT June 28, 2001

EXPRESS MAIL NO. EL523906658US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, BOX PATENT APPLICATION, WASHINGTON, D.C. 20231.

MAILED BY A. S. Crowley DATE 6/28/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

Prior Application:

Examiner	S. Sharareh
Art Unit	1619

Sir: This is a request for filing a ☒ Continuation ☐ Divisional

application, under 37 C.F.R. 1.53(b), of pending application Serial No. 09/312,617 filed on

May 17, 1999 (DATE) of Udit Batra et al. (INVENTOR)

for Compressed Tablet Formulation (TITLE OF INVENTION)

1. The enclosed comprises a copy of prior application Serial No. 09/312,617, as filed on May 17, 1999. The entire disclosure of this prior application is hereby incorporated by reference.

2. The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Total Claims	34 -	20	14 x	\$18 \$252
Independent Claims	3 -	3	0 x	\$80 \$0
*Multiple Dependent Claims			x	\$270
Basic Fee (minimum amount required)				\$710
* Add this fee if application contains any multiple dependent claims, regardless of number.				\$962 Total Fee

3. The Assistant Commissioner is hereby authorized to charge any fees which may be required or to credit any overpayment to Account No. 13-2755.

4. ☐ Amend the specification by inserting before the first line the sentence:

-- This is a ☐ continuation, ☐ division of application Serial No. _____, filed _____.

5. ☒ Cancel in this application original claims: 17-23.

6. ☒ Preliminary amendment enclosed.

7. ☒ Information Disclosure Statement/PTO-1449 enclosed.

8a. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

8b. ☐ New formal drawings are enclosed.

9a. ☐ Priority of application Serial No. _____, filed _____, in _____ (COUNTRY) is claimed under 35 U.S.C. 119.

9b. ☐ The certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.

10. ☐ The prior application is assigned to _____.

11. ☐ The undersigned attorney or agent has:

a. ☐ Power in the prior application as originally filed.

b. ☒ Associate power, copy enclosed.

Respectfully,

Kenneth R. Walton

By: Kenneth R. Walton

Attorney _____ for Applicant(s)

Registration No. 32,951

Telephone: (732) 594- 3462

Address: Merck & Co., Inc.,
Patent Department
P.O. Box 2000 - RY60-30
Rahway, N.J. 07065-0907

Date: June 28, 2001

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MAILED BY A.B. Crowley DATE 6/28/01

IN DUPLICATE

Enclosure